

FEB 05 2004

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## Clark &amp; Elbing LLP

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**Date:** February 5, 2004

**To:** Examiner Cybille Delacroix-Muirheid  
Art Unit 1614  
U.S. Patent & Trademark Office

**Facsimile No:** 1-703-872-9306

**From:** Kristina Beiker-Brady, Ph.D., P.C.  
Reg. No. 39, 109

**Re:** Thatcher et al.  
09/473,713  
METHODS AND COMPOSITIONS FOR MITIGATING PAIN  
Attorney Docket No.: 50299/003001  
Customer No.: 21559

**Pages:** 6, Including Fax Cover Sheet

**Message:** Attachments:

Reply to Notice Regarding Power of Attorney	2 pages
Copy of Letter from Parteq Innovations	3 pages

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PATENT  
ATTORNEY DOCKET NO. 50299/003001

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I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being transmitted by facsimile to the Examiner listed below, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated above.	
<u>Christine M. Colbert</u>	<u>Christine M. Colbert</u>
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 05 2004

Applicant:	Thatcher et al.	Art Unit:	1614
Serial No.:	09/473,713	Examiner:	Delacroix-Muirheid, C.
Filed:	December 29, 1999	Customer No.:	21559
Title:	METHODS AND COMPOSITIONS FOR MITIGATING PAIN		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO NOTICE REGARDING POWER OF ATTORNEY

In reply to the Notice Regarding Power of Attorney that was mailed in connection with the above-captioned patent application on January 2, 2004, Applicants submit the following Remarks.

The Power of Attorney submitted on September 8, 2003 should be accepted, as this statement was submitted according to 37 CFR 1.34(b), which reads as follows:

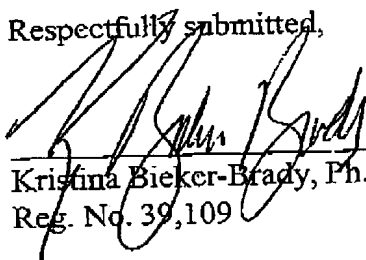
(b) When an attorney or agent shall have filed his or her power of attorney, or authorization, duly executed by the person or persons entitled to prosecute an application or a patent involved in a reexamination proceeding, he or she is a principal attorney of record in the case. A principal attorney or agent, so appointed, may appoint an associate attorney or agent who shall also then be of record.

In addition, Applicants respectfully request that, effective immediately, all communication in this case be addressed to:

Kristina Bieker-Brady, Ph.D., P.C.  
Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110

Date: February 5, 2004

Respectfully submitted,

  
\_\_\_\_\_  
Kristina Bieker-Brady, Ph.D., P.C.  
Reg. No. 39,109

Clark & Elbing LLP  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-428-0200  
Facsimile: 617-428-7045



STEPHEN J. SCRIBNER, PhD  
Patent Agent  
Phone Direct: 613.533.6000 ext 77483  
sscribner@parteqinnovations.com

Please deliver the following fax to:  
Name: Dr. Daniel A. Pearson

Company: Clark & Elbing LLP

City: Boston, MA

Fax Number: 617-428-7045

Telephone Number: \_\_\_\_\_

Date: 3 February 2004

We are transmitting 3 pages (including this cover sheet). If you do not receive all pages, please call back as soon as possible.

Stephen J. Scribner, Ph.D.

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PARTEQ innovations, Queen's University, Kingston, Ontario, Canada K7L 3N6 p: 613.533.2342 f: 613.533.6853 w: www.parteqinnovations.com

02/03/2004 TUE 10:28 FAX 533 8853 Parteq Innovations



STEPHEN J. SCRIBNER, PhD  
Patent Agent  
Phone Direct (613) 533-6000 Ext 77483  
sscribner@parteqinnovations.com

3 February 2004

**VIA FACSIMILE & MAIL**

Dr. Daniel A. Pearson  
Clark & Elbing LLP  
101 Federal Street  
Boston, MA  
U.S.A. 02110-2106

Dear Dan,

**RE: United States Patent Application Serial No. 09/473,713**  
**Filed: 29 December 1999**  
**Title: Methods and Compositions for Mitigating Pain**  
**Your Ref. No. 50299/003001**  
**Our Ref. No. 1999-028-01US**

Further to our recent telephone discussion, I enclose for your records a copy of the Notice Regarding Power of Attorney recently received from the U.S. Patent and Trademark Office in respect of the above-captioned patent application.

As you can see, the USPTO believes that the previously-filed Power of Attorney was incomplete because it was not signed by three of the inventors. However, you filed an associate Power of Attorney, signed by me, and appointing the agents/attorneys at Clark & Elbing, which did not require signing by the inventors.

Please file an appropriate Response to the Notice, and do not hesitate to contact me should you wish to discuss this matter.

Thank you for your assistance.

Yours very truly,

Stephen J. Scribner

encl.  
c. K. Bieker-Brady

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PARTEQ Innovations, Queen's University, Kingston, Ontario, Canada K7L 3N6 p: 613.533.2342 f: 613.533.6953 w: www.parteqinnovations.com

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Alexandria, Virginia 22303-1450

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/473.713	12/29/1999	GREGORY R. I. THATCHER	1995-033-12U

STEPHEN J SCRIBNER  
PARTEQ INNOVATIONS  
QUEENS UNIVERSITY  
KINGSTON, K7L3N8  
CANADA

**CONFIRMATION NO. 1352**

000000000011597101

Date Mailed: 01/02/2004

**NOTICE REGARDING POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 09/08/2003 . The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The signature(s) of Bennett, Brian M., Reynolds, James N., Jhamandas, Khem, a co-Inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor.

**BRENDA L GRAY**  
1600 (571) 272-0528

FORMER ATTORNEY/AGENT COPY

